

A-6146

Variance Request

Reconstruct the steps leading to the front porch. The proposed reconstructed steps would extend an additional one foot, one inch (1'-1") beyond the existing steps for a maximum encroachment of six feet, eight inches (6'- 8") forward of the twenty-five (25) foot front building restriction line.

Mr. & Mrs. Jeffrey Shuren
108 Hesketh Street

108 Hesketh Street



Figure 1: View of 108 Hesketh Street. The front wall of the house at the steps is located twenty-one (21) feet from the front property line. The existing steps extend an additional one-foot, seven inches (1'-7"), for a total existing encroachment of five feet, seven inches (5'-7") forward of the twenty-five (25) foot front BRL.



Figure 2: View of the front steps. The variance request is to reconstruct the steps, increasing the encroachment by one foot, one inch (1'-1") for a total encroachment of six feet, eight inches (6'-8").

**CHEVY CHASE VILLAGE
NOTICE OF PUBLIC HEARING**

Please take notice that the Chevy Chase Village Board of Managers will hold a public hearing on the 11th day of June, 2012 at 7:30 p.m. The hearing will be held at the Chevy Chase Village Hall at 5906 Connecticut Avenue in Chevy Chase, Maryland.

**APPEAL NUMBER A-6146
MR. & MRS. JEFFREY SHUREN
108 HESKETH STREET
CHEVY CHASE, MARYLAND 20815**

The applicants seek a variance from the Board of Managers pursuant to Section 8-11 of the Chevy Chase Village Building Code to reconstruct the steps leading to the front porch. The proposed reconstructed steps would extend an additional one foot, one inch (1'-1") beyond the existing steps for a maximum encroachment of six feet, eight inches (6'-8") forward of the twenty-five (25) foot front building restriction line.

The Chevy Chase Village Code § 8-17 (c) states:

No structure or play equipment of any description shall be erected within twenty-five (25) feet of the front line of any lot.

Additional information regarding this appeal may be obtained at the Chevy Chase Village Office between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, may be viewed on the Village website at www.chevychasevillagemd.gov or you may contact the office for this information to be mailed to you.

This notice was mailed to abutting and confronting property owners on the 31st day of May, 2012.

**Chevy Chase Village Office
5906 Connecticut Avenue
Chevy Chase, Maryland 20815
301-654-7300**

**CHEVY CHASE VILLAGE
BOARD OF MANAGERS
JUNE 11, 2012 MEETING**

STAFF REPORT

TO: BOARD OF MANAGERS

FROM: ELLEN SANDS, PERMITTING AND CODE ENFORCEMENT COORDINATOR

DATE: 6/7/2012

SUBJECT: HEARING OF APPEAL CASE NO. A-6146 VARIANCE REQUEST
MR. & MRS. JEFFREY SHUREN, 108 HESKETH STREET
RECONSTRUCT THE STEPS LEADING TO THE FRONT PORCH. THE PROPOSED
RECONSTRUCTED STEPS WOULD EXTEND AN ADDITIONAL ONE FOOT, ONE INCH (1'-1")
BEYOND THE EXISTING STEPS FOR A MAXIMUM ENCROACHMENT OF SIX FEET, EIGHT
INCHES (6'-8") FORWARD OF THE TWENTY-FIVE FOOT FRONT BUILDING RESTRICTION
LINE.

NOTICE REQUIREMENTS: Abutting Owners; Public Notice

APPLICABLE CHEVY CHASE BUILDING REGULATION:

The Chevy Chase Village Code § 8-17 (c) states:

No structure or play equipment of any description shall be erected within twenty-five (25) feet of the front line of any lot.

FINDINGS REQUIRED:

1. The proposed variance is required because special conditions exist whereby the enforcement of the requirements of the Village Building Code would result in an unwarranted hardship and injustice to the owner.
2. The proposed variance will most nearly accomplish the intent and purpose of the requirements of the Village Building Code; and
3. Except for variances from the requirements of Sections 8-22, 8-26 or Article IV of the Village Regulations, the structure authorized by the proposed variance would not violate any covenant applicable to the property.

APPLICABLE COVENANTS:

A covenant applicable to the Subject Property imposed by the Chevy Chase Land Company provides that the property is "Subject to a fifteen foot building restriction line as shown on said plat."

Additionally however, the covenants state:

"That no structure of any description shall be erected within twenty-five (25) feet of the front line of said premises and that no stable, carriage house, shed or out-building shall be erected except on the rear of said premises."

FACTUAL AND BACKGROUND INFORMATION:

The front wall of the main body of the house is located approximately twenty-one (21) feet from the front property line. The existing steps extend an additional one foot, seven inches (1'-7") beyond that for a total encroachment of five feet, seven inches (5'-7") forward of the front twenty-five (25) foot building restriction line.

The proposed steps would encroach an additional one foot, one inch (1'-1") beyond the existing steps, for a total encroachment of six feet, eight inches (6'-8").

In previous cases the Board has determined that if uncovered steps and stoops were constructed at the time that the covenants applicable to the property were placed, or shortly thereafter, then it is presumed that the covenant authors did not intend those protrusions to be classified as "structures" for the purposes of the covenants.

In previous cases the Board has found that the covenant authors did not intend certain uncovered steps and stoops to be deemed "structures" for the purposes of the front covenant setback, where such uncovered steps and stoops are installed as a matter of necessity to address the change in elevation from the ground to the entrance of a house and which steps and stoops are the minimum necessary to provide reasonable access.

The renovation of the steps is part of a larger hardscape project that includes replacing the front walkway, reconstructing the steps to the sidewalk and constructing a new pair of cheekwalls with a railing along each side of the reconstructed steps to the sidewalk (see special permit request Case A-6147 a & b).

There are no tree protection issues regarding the project.

To date there have been no letters received from abutting or confronting neighbors regarding the project.

Applicable Fees: Variance Application Fee: \$150.00; Total for the entire project: \$350.00

RELEVANT PRECEDENTS:

In May 2005 Mr. & Mrs. Justin Bausch of 12 East Lenox Street were granted a variance to extend the uncovered steps leading to the front porch. The applicants cited the same safety concerns such as steep risers which did not meet County Code requirements as in this case. A difference in the Bausch case was that the covenants were worded to prohibit "any stable, carriage houses or shed" forward of the 25-foot covenant setback, rather than the more standard language prohibiting "structure[s] of any description" forward of that setback. In December of 2010, Mr. & Mrs. Robert Maruszewski of 127 Grafton Street were granted a variance to enlarge a non-conforming stoop, which violated applicable covenants, and which would encroach five feet, six inches (5'-6") forward of the 25-foot covenant setback, an additional two feet, eleven inches (2'-11") farther than the existing stoop. In December 2010, Mr. Gregory L. Dixon and Ms. Susan F. Dixon, Co-Trustees of the Gregory L. Dixon Revocable Trust and the Susan F. Dixon Revocable Trust, of 5500 Montgomery Street, were granted a variance to expand their front stoop that would extend three (3) feet forward of the twenty-five (25) foot front building restriction line. In January of 2011, Case A-5854, Joanne Kyros and Thomas Schaufelberger of 135 Grafton Street were granted a variance to enlarge an existing non-conforming stoop with steps (all of which violated applicable covenants) and construct three (3) treads that would encroach five (5) feet forward of the 25-foot covenant setback, an additional two (2) inches farther than the existing treads. In February of 2012, Mr. & Mrs. Andrew Marino, of 11 Primrose Street, were granted a variance to relocate and construct non-conforming front steps, leading to a porch. Both the porch and the existing steps violated an applicable 25-foot front setback covenant. The proposed steps would encroach twelve feet, eight inches (12'-8") in front of the 25-foot front setback line, an additional ten (10) inches beyond the existing steps. In April of 2012 Mr. & Mrs. D. Blake Bath were granted a variance to reconstruct the front steps and add an additional step leading from the front walkway to the front porch. The existing steps violated an applicable 25-foot front setback covenant. In May of 2012 Dr. & Mrs. Charles Bahn were granted a variance to reconstruct the front steps from the front walkway to the front porch, adding one tread.

Draft Motion


I move to direct staff to draft a decision **APPROVING/DENYING** the variance request in case A-6146, based on the findings that ...

MAILING LIST FOR APPEAL A-6146 & A-6147

**MR. & MRS. JEFFREY SHUREN
108 HESKETH STREET
CHEVY CHASE, MD 20815**

Adjoining and confronting property owners	
Ms. Ann Hartman & Mr. David Lawrenz Or Current Resident 107 Hesketh Street Chevy Chase, MD 20815	Ms. Dorothy Snider & Mr. Robert C. Snider, Jr. Or Current Resident 105 Hesketh Street Chevy Chase, MD 20815
Mr. & Mrs. Richard E. Schwartz Or Current Resident 106 Hesketh Street Chevy Chase, MD 20815	Ms. Mary E. Burfisher & Mr. Bruce D. Jacobs Or Current Resident 110 Hesketh Street Chevy Chase, MD 20815
Ms. Constance B. Lohse & Mr. Robert G. Brewer, Jr. Or Current Resident 105 Grafton Street Chevy Chase, MD 20815	Mr. & Mrs. Steven Meltzer Or Current Resident 107 Grafton Street Chevy Chase, MD 20185
Mr. & Mrs. Mark B. Pape Or Current Resident 109 Grafton Street Chevy Chase, MD 20815	Chevy Chase Club Or Current Occupant 6100 Connecticut Avenue Chevy Chase, MD 20815

I hereby certify that a public notice was mailed to the aforementioned property owners on the 31st day of May, 2012.


**Ellen Sands
Permitting and Code Enforcement Coordinator
Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815**



May 31, 2012

Mr. & Mrs. Jeffrey Shuren
112 Hesketh Street
Chevy Chase, MD 20815

Dear Mr. & Mrs. Shuren:

Please note that your requests to reconstruct the front steps at your property and to reconstruct the steps, adding one tread, and constructing a pair of cheekwalls terminating twelve (12) inches from the sidewalk in front of your property are scheduled before the Board of Managers on Monday, June 11, 2012 at 7:30 p.m.

Either you or another representative must be in attendance to present your cases. At that time, additional documents may be introduced and testimony can be provided in support of the requests.

For your convenience, enclosed please find copies of the Public Hearing Notices and mailing list. Please contact the Village office in advance if you are unable to attend.

Sincerely,

Ellen Sands
Permitting and Code Enforcement
Chevy Chase Village

Enclosures

CHEVY CHASE VILLAGE

5906 Connecticut Avenue
Chevy Chase, Maryland 20815

Phone (301) 654-7300

Fax (301) 907-9721

ccv@montgomerycountymd.gov

www.chevychasevillagemd.gov

Chevy Chase Village
**Building Permit Application for
Driveways and Other Features at Grade**

Permit No:

Property Address:

108 Hesketh Street

Resident Name: Allison and Jeff Shuren

Daytime telephone: 202-942-6525

Cell phone: 202-731-0689

After-hours telephone: 301.654.2558

E-mail: allison.shuren@aporter.com

Primary Contact for Project:

☒ Resident

☐ Architect

☐ Project Manager

☐ Contractor*

*MHIC/MD Contractor's License No. (required):

Contractor Contact Information:

Name: A+W Landscaping / Patricia Miller or Alan Walcott

Daytime telephone: 301-610-9330 After-hours telephone: Same

E-mail: pmillercompany@mindspring.com Alan@awlandscapes.com

Check all that apply:

☐ Driveway (If a new curb cut is required, note additional fee.)

☒ Walkway

☐ Patio, terrace, or deck at grade

Check all appropriate boxes:

Feature is: ☐ new;

☒ an enlargement of an existing feature; and/or

☐ being relocated.

☐ Feature is a replacement in-kind and in the same location.

Description of project: ① ~~Add~~ Replace front walkway + steps. Add handrailing
② enlarge width of front walkway by a few inches. ③ ~~Add~~ Irrigation
system. ④ add landscape lighting.

To be completed by Village staff:

Is this property within the historic district?

Yes

☒ No

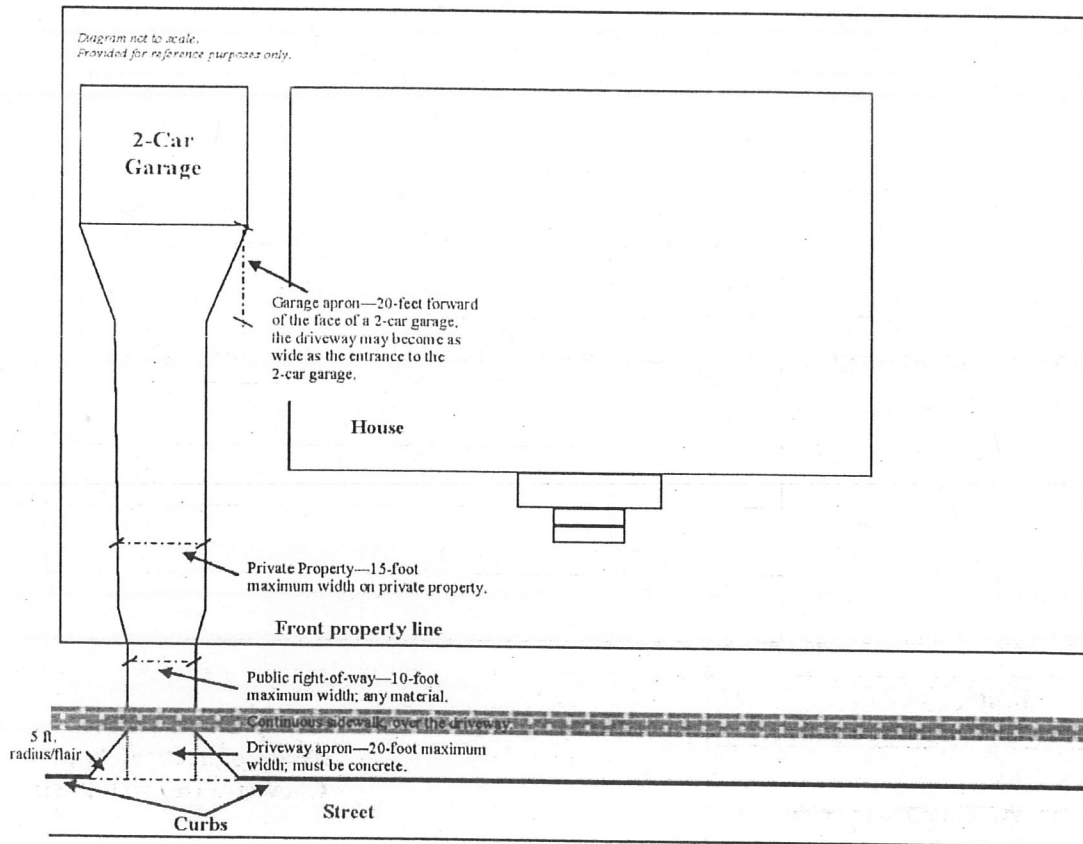
Staff Initials: ES

Date application filed with Village: 5/23/12

Date permit issued:

Expiration date:

Example:



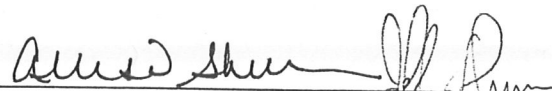
Building Permit Application Filing Requirements

Application will not be reviewed until the application is complete

- ☐ Copy of stamped approved plans from Montgomery County.
- ☐ This application form, signed by resident.
- ☐ Boundary Survey
- ☐ Site Plan (see: Village Site Plan Checklist to ensure completeness) showing exact location of existing and proposed features.
- ☐ Tree Preservation Plan requested of Village arborist (see: Village Tree Inspection Request form). All required tree protections must be fully installed before any work begins.
- ☐ Filing Fee (due at time of application). Fee schedule is listed in Chapter 6 of the Village Code.
- ☐ Damage deposit or performance bond (due when permit is issued). Amount will be set by Village Manager.

Once this permit application is complete, the Village Manager will review the application and accompanying documents and, under most circumstances, act on the application within 5 to 10 working days. If the Montgomery County permit is suspended, revoked or lapsed, the Village permit is automatically suspended, revoked or lapsed. No signs advertising any service provider may be posted on the work site.

I hereby certify that I have the authority to make the foregoing application, that the application is correct, that I have read and understood all requirements and that the construction will conform to the regulations of the Montgomery County Zoning Code, the Village Code including Urban Forest code, and any covenants and easements on the subject property.

Applicant's Signature:  **Date:** 5/20/2012

For Use By Village Manager	Application approved with the following conditions:
DENIED MAY 30 2012 Chevy Chase Village Manager	Application denied for the following reasons:
	<i>Deny 2600 The proposed reconstructed steps would expand the front setback encroachment.</i>

Filing Fees (due when application submitted)	Checks Payable to:
Permit Filing Fee: <input type="checkbox"/> \$30.00 (if new, enlarged or relocated) <input type="checkbox"/> \$15.00 (if a replacement in-kind and in the same location) <input type="checkbox"/> \$50.00 for new curb cut. <input checked="" type="checkbox"/> \$50.00 for construction in the public right-of-way.	Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
Tree Preservation Plan Fee: <input type="checkbox"/> \$250.00 <i>TBD</i> <input type="checkbox"/> Not required for this project	
TOTAL Fees: <i>\$50.00</i>	Date: <i>5/21/12</i> Staff Signature: <i>Ellen Sand</i>
Damage Deposit/Performance Bond <input type="checkbox"/> \$ _____ <input type="checkbox"/> Waived by Village Manager	Date: Village Manager Signature:

For Village Staff use: Field file for inspections by Code Enforcement Officer has been created: <input type="checkbox"/> Yes (Date: _____)

Chevy Chase Village

Application for a Variance

A variance is permission granted to a landowner to depart from the specific requirements of the Village zoning ordinance and allows a landowner to use land differently than specified in the ordinance. The variance is a written authorization from the Board of Managers permitting construction in a manner not otherwise allowed by the Village Code.

Subject Property: 108 Hesheth Street	
Describe the Proposed Project: ① replace front walkway + steps. Add 2 steps leading from public sidewalk to front house walkway. ② add railing to steps. Enlarge front walkway to allowing 2 people to walk side-by-side. ③ Add irrigation system. ④ add landscape lighting.	
Applicant Name(s) (List all property owners): Allison and Jeff Shuren	
Daytime telephone: 202-942-6525	Cell: 202-731-0689
E-mail: allison.shuren@aporter.com	
Address (if different from property address):	
For Village staff use:	Date this form received: 5/23/12 Variance No: A 6146

Filing Requirements:

Application will not be accepted or reviewed until the application is complete

- ☒ Completed Chevy Chase Village Application for a Variance (this form)
- ☒ Completed Chevy Chase Village Building Permit Application
- ☒ A boundary survey or plat diagram with a margin of error of one tenth of a foot or less showing all existing structures, projections and impervious surfaces.
- ☒ Surveys, plats, engineering reports, construction plans/specifications or other accurate drawings showing boundaries, dimensions, and area of the property, as well as the location and dimensions of all structures/fences/walls/etc., existing and proposed to be erected, and the distances of such structures/fences/walls/etc., from the nearest property lines. These drawings shall incorporate and display reference dimensions from the boundary survey or plat diagram required above.
- ☒ Copy of Covenants applicable to the property except for variances from Sections 8-22, 8-26 or Article IV of Chapter 8 of the Chevy Chase Village Code. If there are no covenants, provide a letter from an attorney or the title insurance carrier stating that there are no covenants.
- ☒ Variance fee (See fee schedule listed in Chapter 6 of the Village Code).

Affidavit

I hereby certify that I have the authority to submit the foregoing application, that all owners of the property have signed below, that I have read and understand all requirements and that I or an authorized representative will appear at the scheduled public hearing in this matter. I hereby authorize the Village Manager, or the Manager's designee, and/or the Board of Managers to enter onto the subject property for the purposes of assessing the site in relation to this variance request. I hereby declare and affirm, under penalty of perjury, that all matters and facts set forth in the foregoing application are true and correct to the best of my knowledge, information and belief.

Applicant's Signature: Alison Shuren

Date: 5/20/2012

Applicant's Signature: Jeff Shuren

Date: 5/20/2012

Describe the basis for the variance request (attach additional pages as needed).

Describe the special conditions of the property (e.g., odd shape, small size, sloping topography, abuts state highway, etc.) and how the property compares to other properties in the Village:

The property has a sloping topography. The stairs from sidewalk to front entry ~~are~~ have ~~an~~ an above average rise and no safety railing. This is not to code. Most of the house on our side of the street have more than 2 stairs & a railing.

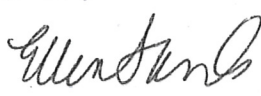
Describe how enforcement of the building regulations would result in an unwarranted hardship and injustice because of the special condition(s) described above (i.e., describe (i) the unwarranted hardship and injustice that you claim exists and (ii) how the special conditions cause that unwarranted hardship and injustice):

It will not permit us to bring our steps to code.

Describe how the proposed variance most nearly accomplishes the intent and purpose of the requirements of Chapter 8 of the Chevy Chase Village Code, entitled *Buildings and Building Regulations*:

See response in Special permit application.

In exercising its powers in connection with a variance request, the Chevy Chase Village Board of Managers may reverse or affirm, wholly or partly, or may modify the requirement, decision or determination as it deems appropriate.

Variance Filing Fee	Checks Payable To: Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
<i>Per Village Code Sec. 6-2(a)(24):</i> <input type="checkbox"/> \$300.00 for new construction. <input checked="" type="checkbox"/> \$150.00 for replacing existing non-conformities. <input type="checkbox"/> \$300.00 for fences, walls, play equipment, trees, hedges, shrubbery in the public right-of-way. <input type="checkbox"/> Other: \$ _____	Date Paid: 5/23/12 Staff Signature: 
Fee Paid: \$150.00	

FRONT LIGHTING PLAN

(5) SHAMPOCK' IN BERRY
(3) NANNINA
(3) JAPANESE ANDROMEDA
(5) NAKI DE KOBIN HILL AZALEA

BULBS/ANNUALS

(8) WINTER GEM' BOXWOOD

VARIEGATED LIPSTICK (12)
(1) FIRM F-1253

ANNUAL

4'-6" house tree
7'-4" pop

1'-7" EXIST'G EDGE OF STEPS

21'-0"

2'-8"

FLAGSTONE ON CONCRETE WALKWAY

18" HIGH STONE COLUMNS

Ex'g House @ 21'-0"
(encroaches 4')
Ex'g Steps + 1'-7"
(add'l encroachment)

Total Ex'g Encroach: 5'-7"
Total proposed encroachment = 6'-8"

(Total increase = 1'-1")

1'-0"
6" HIGH STONE KNEE
(4) CURVED FLAGSTONE
NEW 5 FT. WIDE

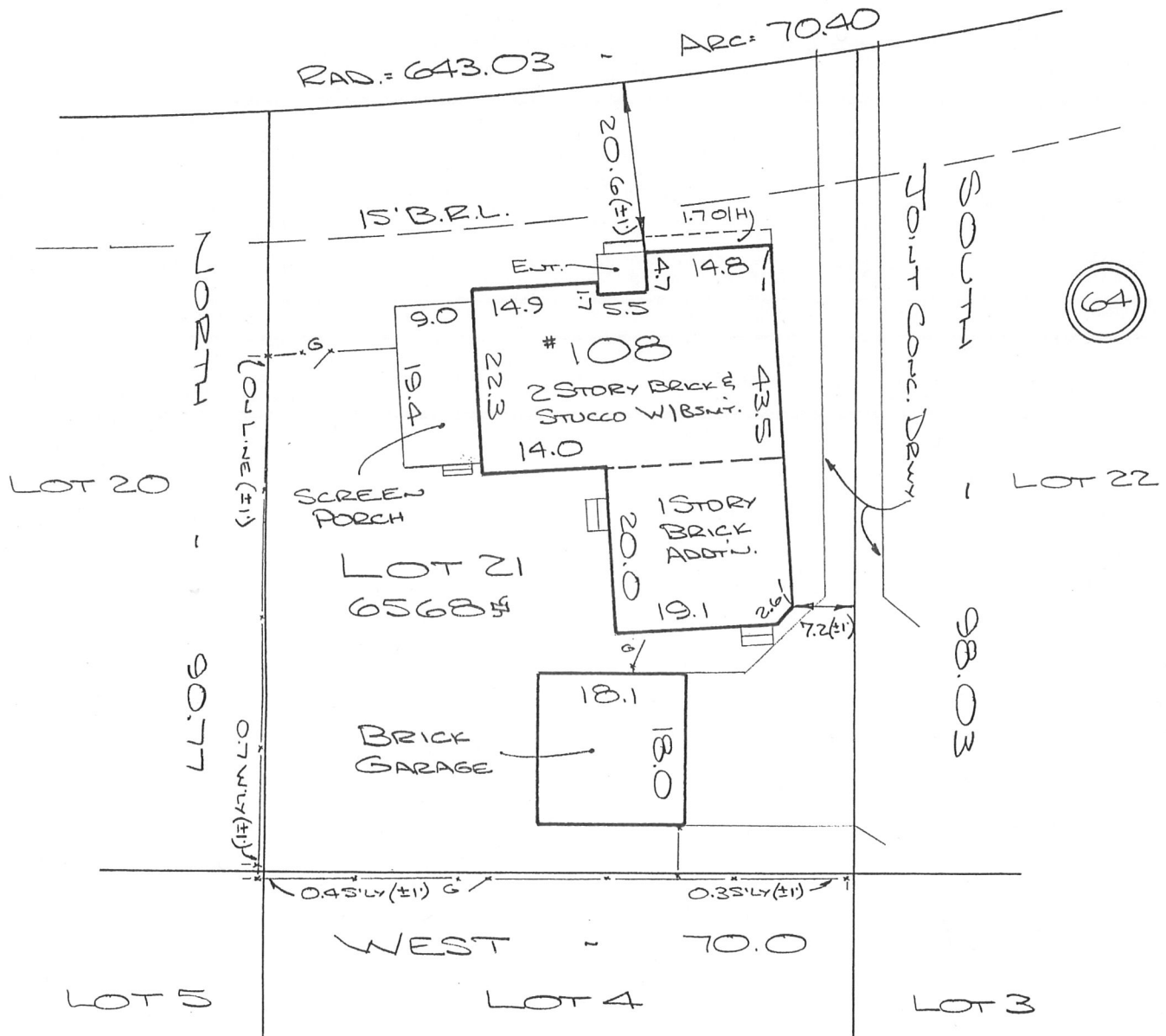
SPRINKLER VALVE
DEPENDENT YEW

RE BROKEN CONCRETE PAD
INSTALL (3) 2X3 FLAGSTONE
PAVERS

LEGEND

7

HESKETH STREET



Capitol Surveys, Inc.

10762 Rhode Island Avenue
Beltzville, Maryland 20705

NOTES: Plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing; the plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or proposed improvements.

"4. That any house erected on said premises shall be designed for the occupancy of a single family, and no part of any house or of any structure appurtenant thereto shall be erected or maintained within 5 feet of the side lines of said lot, nor within 10 feet of the nearest adjacent house."

"5. That a violation of any of the aforesaid covenants and agreements may be enjoined and the same enforced at the suit of The Chevy Chase Land Company, its successors or assigns, (assigns including any person deriving title mediately or immediately from said company to any lot or square in the section of the subdivision of which this lot forms a part)".

Together with the buildings and improvements thereupon, erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging or in any way appertaining.

To Have and to Hold the said piece or parcel of ground and premises above described or mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the only proper use, benefit and behoof forever of the said parties of the second part.

And the said parties of the first part covenant that they will warrant specially the property hereby conveyed; that they are seized of the land hereby conveyed; that they have a right to convey said land; that the said parties of the second part shall quietly enjoy said land; that they have done no act to encumber said land other than appears of record; and that they will execute such further assurances of said land as may be requisite.

In Testimony Whereof, the parties of the first part have hereunto subscribed, their hands and affixed their seals the day and year first hereinbefore written.

Signed, sealed and delivered

David H. Baldwin Sr. (Seal)

in the presence of

Charlotte G. Baldwin (Seal)

E. Roy Hill

(Internal Revenue \$24.20)

(State Tax \$24.20)

District of Columbia, to wit:

I, E. Roy Hill, a Notary Public in and for the said District of Columbia, do hereby certify that David H. Baldwin, Sr., and Charlotte G. Baldwin parties to and who are personally well known to me as the persons who executed the foregoing and annexed Deed bearing date on the 23rd day of January, 1948, personally appeared before me in said District, and acknowledged the same to be their free act and deed.

Given under my hand and seal this 23rd day of January, 1948.

E. Roy Hill

E. Roy Hill

Notary Public D. C.

Notary Public

District of

Columbia

W.B.W.
EXAMINED

Mailed to

Wash Loan & Trust Co.

94 & J. Ste. N. St.

Wash Co.

S. 9. 41

Cecelia M. Baum Norcross and John A. Norcross, her husband, parties of the first part, and Alfred H. Lawson and Herbert W. Prima parties of the second part.

Whereas, the said Cecelia M. Baum Norcross is justly indebted to Washington Home for Foundlings, in the full sum of Twelve Thousand and No/100 Dollars

State of California, County of Los Angeles to wit:

I, Lena Hesse, a Notary Public in and for the said County of Los Angeles, California, do hereby certify that on the 22 day of January, 1948, Jennie Gossin, party to and who is personally well known to me as the person who executed the foregoing and annexed Deed bearing date on the 19 day of January, A. D. 1948, personally appeared before me in said Los Angeles County, and she acknowledged the same to be her act and deed.

Given under my hand and seal this 22 day of January, A. D., 1948.

	Lena Hesse
Lena Hesse	Notary Public
Notary Public	My Commission expires March 27th
Los Angeles Co.,	1948.
Calif.	

EXAMINED

Made as Grantee
108 Chesnut St.
Chung Chase, Md.

8-9-48

At the request of William H. Girvin and Bonnie Smith Girvin the following Deed was recorded February 2nd A. D. 1948 at 2:37 o'clock P. M. to wit:

This Deed Made this 23rd day of January, 1948, by and between David H. Baldwin, Sr., and Charlotte G. Baldwin, his wife, tenants by the entirety, parties of the first part and William H. Girvin and Bonnie Smith Girvin, his wife, parties of the second part.

Witnesseth, that in consideration of the sum of Ten Dollars (\$10.00) the said parties of the first part do grant and convey unto the said parties of the second part, as tenants by the entirety, their heirs and assigns, in fee simple all that piece or parcel of land situate, lying and being in Montgomery County, State of Maryland, and being described as follows, to wit:

"Lot numbered Twenty-one (12) in Block numbered Sixty-four (64), in a subdivision known as "Chevy Chase, Section Two," as per plat recorded in Plat Book 3, plat 273, one of the Land Records of Montgomery County, Maryland.

Subject to a 15 foot building restriction line as shown on said plat, Together with a right-of-way over the adjoining 4 feet of Lot 22 in said Block in said subdivision aforesaid, thereby reserving of the lot hereby conveyed, 4 feet of said lot adjoining Lot 22 which is to constitute for the two properties a joint driveway from the front line to the rear lines of said lot.

"Subject to the following covenants: "Section 2, Chevy Chase."

"1. That all houses upon said lot shall be built and used for residence purposes exclusively, except stables, carriage-houses, sheds or other outbuildings for use in connection with such residence; and that no trade, business, manufacture or sales or nuisance of any kind shall be carried on or permitted upon said premises."

"2. That no structure of any description shall be erected within 25 feet of the front line of said premises; and that no stable, carriage-house, shed or outbuilding shall be erected except on the rear of said premises. In the case of corner lots any and all lines bordering upon a street, avenue, or parkway shall be considered a front line."

"3. That no house shall be erected on said premises at a cost less than \$5,000.00."